

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL BRANNAN,

Plaintiff,

vs.

BANK OF AMERICA, *et al.*,

Defendants.

Case No.: 2:16-cv-01004-GMN-GWF

ORDER

Pending before the Court is the Report and Recommendation of the Honorable United States Magistrate Judge George Foley, Jr., (ECF No. 63), which recommends that Defendant Bank of America's ("Defendant") Countermotion for Sanctions, (ECF No. 60) be granted.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

Here, no objections were filed, and the deadline to do so has passed.

Accordingly,

1 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 63), is
2 **ACCEPTED and ADOPTED** in full.

3 **IT IS FURTHER ORDERED** that Defendant's Countermotion for Sanctions, (ECF
4 No. 60), is **GRANTED**.

5 **IT IS FURTHER ORDERED** that Plaintiff shall be precluded, pursuant to Federal
6 Rule of Civil Procedure 37(c), from offering evidence to support his claims at summary
7 judgment or at trial.

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9 **DATED** this 20 day of February, 2018.

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13 Gloria M. Navarro, Chief Judge
14 United States District Court
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